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PATENT MAINTENANCE  
DIVISION PATENT  
Docket No. 245402011300

2005 JUL 22 PM 2:32

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Kazunobu ITONAGA et al.

Serial No.: 10/534,981

Filing Date: May 16, 2005

For: PULSE WAVE MEASURING  
APPARATUS

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Refund Section, Accounting Division Office of Finance

Sir:

Applicants respectfully request a refund in the amount of \$100.00, for overpayment of the Search fee, paid on May 16, 2005. It appears that the PTO-1390 Transmittal Form utilized on that date reflected the old Search fee of 500.00. The fee should have been processed using the revised and updated PTO-1390 form which provided the proper Search fee where an International Search Report was prepared by an ISA other than the US and was previously communicated to the U.S. Patent and Trademark Office. In the above-referenced case, the Search Report was prepared by the Japanese Patent Office and a Form PCT/ISA/210 was filed with the U.S. Patent and Trademark Office.

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U.S. Application No. 10/534,981

PATENT MARK  
Docket No. 245402011300

Applicants submit together with this paper, the following documents together with the postcard receipt:

2005 JUL 20  
US PATENT & TRADEMARK  
OFFICE

Copy of PTO-1390 Transmittal filed May 16, 2005.

Copy of Deposit Account Statement for May 2005.

The Commissioner is respectfully requested to consider the above facts and determine if a refund is appropriate. Favorable consideration is earnestly solicited.

Please credit same to our Deposit Account No. 03-1952 referencing attorney docket No. 245402011300.

Dated: July 20, 2005

Respectfully submitted,

By: 

Wayne C. Jaeschke, Jr.  
Registration No. 38,503

Morrison & Foerster LLP  
1650 Tysons Boulevard, Suite 300  
McLean, Virginia 22102-3915  
Telephone: (703) 760-7756  
Facsimile: (703) 760-7777

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PATENT MAINTENANCE  
DUE

2005 JUL 22 PM 2:32

US PATENT & TRADEMARK  
OFFICE

PCT/JP2003/014950

ATTORNEY DOCKET: 245402011300

MAIL DATE: May 16, 2005

SERIAL NO.: New PCT Application

ATTY/Secy.: BEB/amr

INVENTORS: Kazunobu ITONAGA et al

FILING DATE: May 16, 2005

TITLE: PULSE WAVE MEASURING APPARATUS

Papers enclosed herewith:

**DOCKETED**

- ☒ Transmittal Form 371 Trans
- ☒ Fee Transmittal \$ 1040.00
- ☒ Specification including claims and abstract 55pgs
- ☒ Drawings 20shts
- ☒ Declaration and Power of Attorney 3shts
- ☐ Priority Document
- ☐ Information Disclosure Statement
- ☒ PTO Form SB/08a/b including references
- ☒ Assignment Recordation Form
- ☒ Assignment 2shts
- ☐ Application Data Sheet
- ☐ Notice to File Missing Parts
- ☐ Appeal Brief

- ☐ Amendment
- ☐ Issue Fee (in duplicate)
- ☐ Petition under
- ☐ Request for Refund
- ☐ Sequence Listing (PAPER)
- ☐ Computer Readable Format (DISK)
- ☐ Status Inquiry
- ☐ Request Certificate of Correction
- ☐ Request for Corrected Filing Receipt
- ☐ Request for Corrected Assignment
- ☐ Extension of Time month
- ☐ Notice of Appeal

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE  
va-53511

Other int. Pub. No. WO 2004/049933  
101, 210, 301, 304, 308, 332, 409

**RECEIVED**

MAY 17 2005

MORRISON & FOERSTER LLP

Fixed Fee  
**ENTERED**  
731



<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER: <b>2454020.11300</b>
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>2004/049933</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP2003/014950</b>	INTERNATIONAL FILING DATE <b>21 November 2003</b>	PRIORITY DATE CLAIMED <b>29 November 2002</b>
TITLE OF INVENTION <b>PULSE WAVE MEASURING APPARATUS</b>		
APPLICANT(S) FOR DO/EO/US <b>Kazunobu ITONAGA, Kazuhisa TANABE and Takashi INAGAKI</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☒ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - ☒ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A preliminary amendment.
- ☒ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: International Publication No.: WO.2004/049933, PCT Request (PCT/RO/101), PCT/ISA/210, PCT/IB/301, PCT/IB/304, PCT/IB/308, PCT/IB/332, PCT/IPEA/409 and Return Postcard

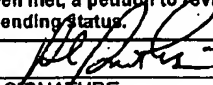
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PTO-1390 (Rev. 12-2004)

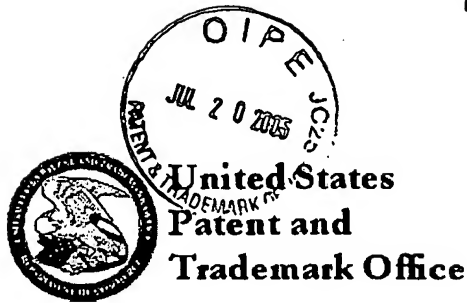
Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>Not Yet Assigned</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP2003/014950</b>		ATTORNEY'S DOCKET NUMBER <b>245402011300</b>	
21. The following fees are submitted:				2005 JUL 22 PM 2:22 \$ 300.00 \$ 200.00 \$ 500.00 \$ 1000.00	
<input checked="" type="checkbox"/> a) Basic national fee ..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee ..... \$200.00 <input checked="" type="checkbox"/> c) Search fee ..... \$500.00					
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).					
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total claims	18- 20 =	0	x 0.00		
Independent claims	1 - 3 =	0	x 0.00		
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
<b>SUBTOTAL =</b>				\$ 1000.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	
<b>TOTAL NATIONAL FEE =</b>				\$ 1000.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1040.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-1952</u> in the amount of \$ <u>1040.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1952</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the international Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Barry E. Bretschneider MORRISON & FOERSTER LLP 1650 Tysons Blvd, Suite 300 McLean, Virginia 22102 (703) 760-7755			SIGNATURE:  NAME: <u>Barry E. Bretschneider</u> REGISTRATION NUMBER: <u>28,055</u>		
Customer No: 25227					

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PATENT MARKING  
DATE

2005 JUL 22 PM 2:31

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OFFICE



**Deposit Account Statement**

Requested Statement Month: May 2005  
Deposit Account Number: 031952  
Name: MORRISON & FOERSTER LLP  
Attention: DENISE CALDWELL  
Address: 755 PAGE MILL ROAD  
City: PALO ALTO  
State: CA  
Zip: 94304-1018  
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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05/02	405	PCT/US05/14067	577472000240	8007	\$40.00	\$293,16
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